

REMARKS

In a telephone conference with Examiner Ade on or about March 1, 2007 with the undersigned, the Examiner agreed to withdraw the finality of the Office Action because the newly-added limitations in the previous amendment have not been addressed. Out of courtesy, Applicants provide the following remarks.

Claims 1-43, 49-56 and 59 are pending in the application. Claims 44-48, 57 and 58 have been canceled. Claims 49-56, and 59 have been withdrawn from further consideration.

Claims 1-3, 7-10, 13-15, 18, 19, 26, 33, 38-41, and 43 are rejected under 35 U.S.C. § 102(e) as being anticipated by Fields (U.S. Patent Publication No. 2002/00069154). Claims 4-6, 11, 16, 20, 21, 34-36, and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fields. Claims 17, and 27-32 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fields in view of Slaight et al. (U.S. Patent Publication No. 2002/0077954). Claims 22-25, and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fields in view of Vashistha et al. (U.S. Patent Publication No. 2001/0051913). These rejections are respectfully traversed.

In paragraph 8 A) on page 10 of the latest Office Action, the Office asserts that applicants have argued that the Fields published application does not disclose any of the limitations recited in the claim, and proceeds to repeat the rejections made in previous Office Actions.

However, the Examiner's attention is directed to amended independent claim 1 of the Amendment and Response filed by May 15, 2006. Applicants have amended claim 1 to recite, among other features generating a list of unpriced

performances desired by a buyer by selecting at least one of the predetermined performances from the database and by including the respective performance description in the list of performances; forwarding the list of unpriced performances to a plurality of bidders; receiving a bid from at least one of the plurality of bidders, each received bid including a bid price input to a bid mask by the bidder and assigned to at least one performance description of the list of unpriced performances, the bid price stating the price to be paid to the bidder for effecting the respective performance by the bidder.

The new limitations have not been addressed in the Final Office Action.

As shown in Figure 15 of the Fields published application, a template page in which a user completes a request for proposal template pages as illustrated in Fields' Figures 11-14, a price for a final patent request for proposal is illustrated. Element 124 shows the expected application fee that the user desires to pay as well as the desired prior art search fee, desired prosecution fee, and desired provisional patent fee. It is this priced information that is forwarded to the predetermined list of attorneys.

In addition, the Slaughter and the Vashistha patents do not cure the deficiency of the Fields published patent application. The Fields document, Slaughter and the Vashistha patents, either individually or in combination, do not disclose or suggest all of the features recited in Applicants claims.

Applicants respectfully request withdrawal of the finality of the previous Office Action, and an indication of allowable subject matter.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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